

### **REMARKS**

This Application has been carefully reviewed in light of the Office Action mailed May 4, 2005. Applicant appreciates the Examiner's consideration of the Application. At the time of the Office Action of May 4, 2005, Claims 1-5 and 11-12 were pending in the Application and stand rejected. Independent Claims 1 and 11 and dependent Claims 2-4 have been amended to clarify, more particularly point out, and more distinctly claim inventive concepts previously present in these claims. Certain amendments do not narrow the scope of the claims, and certain amendments are not required for patentability. Applicant respectfully submits that no new matter has been added by the amendments to the claims. In order to advance prosecution of this Application, Applicant has responded to each notation by the Examiner. Applicant respectfully requests reconsideration and favorable action in this case.

### **Drawings**

Examiner has requested that "Figure 1 should be designated by a legend such as -- Prior Art-- because only that which is old is illustrated." Office Action, page 2, paragraph 2. Applicant submits that Figure 1 does not illustrate only that which is old. As an example, Figure 1 illustrates a "table structure which includes, in effect, 'in' tables and 'out' tables." Application, page 3, lines 24-26. Certain embodiments of the present invention, however, reference 'in' and 'out' tables. See, for example, Application, page 9, lines 5-7. Thus, Figure 1 should not be designated as prior art. Applicant respectfully requests withdrawal of the objection to the drawing.

### **Section 103(a) Rejection**

The Examiner rejects Claims 1-5, 11, and 12 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,085,188 to Bachmann et al. ("*Bachmann*") in light of U.S. Patent 6,347,312 to Byrne ("*Byrne*"). Applicant respectfully traverses this rejection for the reasons discussed below.

Applicant respectfully submits that the combination of *Bachmann* and *Byrne* proposed by the Examiner fails to disclose, teach, or suggest the combination of elements specifically recited in Applicant's claims. For example, Claim 1, as amended, recites "determining whether the instruction or operation is part of a modify instruction, the modify instruction operable to modify the information."

The Examiner relies on lines 60-67 of column 5 of *Bachmann* to teach “determining whether the instruction modifies information, and if so, performing the add and remove operations.” Office Action, page 4, paragraph 4.

This passage of *Bachmann*, however, fails to disclose, teach, or suggest “determining whether the instruction or operation is part of a modify instruction, the modify instruction operable to modify the information,” of amended Claim 1. *Bachmann* discloses a method of searching a directory service having a relational database management system. See *Bachmann*, Abstract. *Bachmann* discloses a routine to remove entries from the database where the routine first maps the distinguished name to the entry identifier, obtains the ancestor from the descendant table, removes the parent entry and entry identifier from the descendant table, and then removes the entry identifier from the parent table. *Id.* at column 6, lines 47-59. *Bachmann* also discloses a routine to add entries to the database where the routine first tests whether the entry exists and if it does not exist, the routine obtains the parent entry, adds the entry to the parent table, and then adds the entry to the descendant table. *Id.* at column 7, lines 1-16. *Bachmann* discloses other operations such as search and compare to retrieve information from the database. *Id.* at column 5, lines 60-67. *Bachmann*, however, fails to disclose, teach, or suggest “determining whether the instruction or operation is part of a modify instruction, the modify instruction operable to modify the information,” of amended Claim 1.

*Byrne* discloses a system using a hierarchical-based directory service with a relational database backing store. See *Byrne*, column 2, lines 27-29. *Byrne* further discloses a method for searching the relational database using filter-based search queries. *Id.* at column 2, lines 55-57. *Byrne* discloses that after a first search of the relational database, search results and associated search query string are cached. *Id.* at column 2, lines 58-60; *Id.* at column 8, lines 45-63. *Byrne*, however, fails to disclose, teach, or suggest “determining whether the instruction or operation is part of a modify instruction, the modify instruction operable to modify the information,” of amended Claim 1.

Accordingly, the *Byrne-Bachmann* combination proposed by the Examiner fails to disclose, teach, or suggest “determining whether the instruction or operation is part of a modify instruction, the modify instruction operable to modify the information,” of amended Claim 1.

Applicant's amended Claim 11 recites certain limitations substantially similar to "determining whether the instruction or operation is part of a modify instruction, the modify instruction operable to modify the information." Accordingly, for at least similar reasons, Claim 11 is allowable.

Applicant's dependent Claims 2-5 and 12 are allowable based on their dependence on independent Claims 1 and 11 and further because they recite numerous additional patentable distinctions over the reference of the rejection. Because Applicant believes they have amply demonstrated the allowability of independent Claims 1 and 11 over the *Byrne-Bachmann* combination, and to avoid burdening the record, Applicant has not provided additional detailed remarks concerning these dependent claims. Applicant, however, remains ready to provide such remarks if it becomes appropriate to do so.

Accordingly, Applicant respectfully requests reconsideration and allowance of Claims 1-5 and 11-12.

**CONCLUSION**

Applicant has made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicant respectfully requests full allowance of all the pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case in any way, the Examiner is invited to contact Keiko Ichiye, the Attorney for Applicant, at the Examiner's convenience at (214) 953-6494.

A check for a one-month extension fee of \$120.00 believed to be due at this time is enclosed and the Commissioner is hereby authorized to charge any additional fees or credit any overpayments presently due to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.  
Attorneys for Applicants



Keiko Ichiye  
Reg. No. 45,460

**Correspondence Address:**

Baker Botts L.L.P.  
2001 Ross Avenue, Suite 600  
Dallas, Texas 75201-2980  
(214) 953-6494  
Date: September 2, 2005

**Customer Number: 05073**